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**UNITED STATES BANKRUPTCY COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

In re

DANA AARON LINETT,

Debtor.

CASE NO. 19-05831-LA11

Chapter 11

DEBTOR'S STATUS ON PLAN  
AND DISCLOSURE STATEMENT

DATE: June 24, 2021

TIME: 2:00 p.m.

DEPT.: Two

JUDGE: Hon. Louise DeCarl Adler

1 The Debtor, Dana Aaron Linett (the "Debtor") respectfully submits the following status  
2 report on the pending Disclosure Statement submitted by Barbara Linett, the hearing thereon set  
3 for June 24, 2021 at 2:00 p.m., in Department Two of the above identified court before the  
4 Honorable Louise DeCarl Adler, and the various other matters set for hearing on that day.

5 Debtor's counsel and counsel for Barbara Linett have met and conferred regarding the  
6 language of the liquidating trust submitted with Barbara Linett latest Disclosure Statement and  
7 Plan of Reorganization. Debtor's counsel and Barbara Linett have finalized a draft of the  
8 liquidating trust and, as of this writing, have been submitted to the Debtor and Barbara Linett for  
9 their final review and approval. Debtor's counsel is further informed and believes that a draft is  
10 being provided to counsel for U.S. Bank for its review and approval.

11 If the draft is approved by the parties reviewing the liquidating trust, it is anticipated that  
12 the Debtor and Barbara Linett would then proceed with a joint plan of reorganization. Debtor's  
13 counsel would then revise the current plan and disclosure statement submitted by Barbara Linett  
14 in order to make those documents consistent with the approved draft of the liquidating trust.  
15 Debtor would then file the joint disclosure statement and the joint plan of reorganization. In the  
16 meantime, there is one issue in the liquidating trust that the parties have been unable to resolve.  
17 It is a limited issue related to the treatment of the Debtor's declared homestead exemption. The  
18 parties have agreed that this issue should be resolved by the Court prior to the confirmation of  
19 any finalized joint plan. The parties will explain the issues and ask the Court to set a briefing  
20 schedule on the issues related to the Debtor's homestead exemption at the June 24<sup>th</sup> hearing.

21 With reference to the other pending matters before the Court set for hearing on June 24<sup>th</sup>,  
22 the Debtor believes that all matters should then be continued to trail the disclosure statement and  
23 plan process.

24 As for the pending request to employ the law firm of Yale & Baumgarten, LLP, the  
25 Debtor has received the two oppositions filed by Barbara Linett and Julia Garwood. Both  
26 oppositions indicate that the approval of Yale & Baumgarten, LLP, should be delayed until such  
27 time as the Court has heard the Debtor's motion to approve the payment of the retainer. Debtor  
28 has no objection to such a delay. The Debtor believes the retainer payment should be approved

1 for the reasons stated in its motion papers. Further, although the Debtor did not confer with  
2 counsel for U.S. Bank prior to filing the motion, the parties have conferred regarding the cash  
3 collateral issues related thereto and the Debtor will provide information requested by U.S. Bank  
4 for it to adequately consider the pending motion.

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7 Dated: June 9, 2021

/s/ John L. Smaha

John L. Smaha, Esq.

Gustavo E. Bravo, Esq.

*Attorneys for Debtor and Debtor-in-Possession,*  
Dana Aaron Linett

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9  
10 **UNITED STATES BANKRUPTCY COURT**  
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 **PROOF OF SERVICE**

Case No. 19-05831-LA11

In re Dana Aaron Linett

13 I am employed in the City of San Diego, California. I am over the age of 18 and not a party to the  
14 within action. My business address is 2398 San Diego Avenue, San Diego CA 92110.

15 On June 9, 2021, I caused to be served the following document(s) described as:

16 **1. DEBTOR'S STATUS ON PLAN AND DISCLOSURE STATEMENT**

17 U.S. TRUSTEE  
18 Department of Justice  
19 880 Front Street, Ste. 3230  
20 San Diego, CA 92101

21 [X] (BY MAIL) I served the individual named by placing the documents in a sealed envelope. I then  
22 placed it for collection and mailing with the United States Postal Service this same day, at my address  
23 shown above, following ordinary business practice.

24 [X] (To Be Served by the Court via Notice of Electronic Filing ("NEF")). Under controlling Local  
25 Bankruptcy Rules(s) ("LBR"), the document(s) listed above will be served by the court via NEF and  
26 hyperlink to the document. On **June 9, 2021**, I checked the CM/ECF docket for this bankruptcy case  
27 or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice  
List to receive NEF transmission at the e-mail address(es) indicated and/or as checked below:

Gustavo E. Bravo: gbravo@smaha.com  
Michael D. Breslauer: mbreslauer@swsslaw.com, wyones@swsslaw.com  
Theron S Covey: TheronCovey@gmail.com, sferry@raslg.com  
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1       **John Smaha:**       jsmaha@smaha.com,  
2       **U.S. Trustee:**   gbravo@smaha.com;mdawson@smaha.com;jteague@smaha.com  
                             ustp.region15@usdoj.gov

3       I declare under penalty of perjury under the laws of the State of California that the foregoing is  
4       true and correct. Executed on **June 9, 2021**, San Diego, California.

5                               /s/ Amelda M. Dawson  
6                               Amelda M. Dawswon

